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UNCLAS SECTION 01 OF 02 BRASILIA 000821

SIPDIS

SENSITIVE

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TAGS: [PGOV](#) [CASC](#) [KCRM](#) [PHUM](#) [SOCI](#) [BR](#)

SUBJECT: FOURTH SUSPECT IN BRAZIL NUN'S MURDER SURRENDERS TO POLICE

REF: A. BRASILIA 369

- [B](#). BRASILIA 437
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[1](#)1. (U) The fourth and most senior suspect in the murder of US citizen missionary Dorothy Stang turned himself in to Brazilian federal authorities on March 27. Vitalmiro Bastos Moura (aka "Bida"), 34, an area rancher who is alleged to have been the mastermind behind Stang's February 12 murder, surrendered yesterday after weeks of negotiations by his attorney. He is the last of four suspects to be arrested. The other three (two gunmen and one middleman) were all in custody by February 21. Bida insisted on surrendering to federal, rather than state, police. He was taken into custody on a roadside near the town of Altamira, in the rural interior of Para state, at 12:30pm on March 27 and flown to the state capital of Belem, where he gave a five-hour statement in the presence of his attorneys, state and federal officials, and federal Senator Ana Julia Carepa, who has followed the case closely.

[1](#)2. (U) After giving his statement, Bida was taken to the auditorium in the Federal Police building where he denied to the gathered press any involvement in Stang's murder. Asked about the two gunmen hiding out on his ranch after the crime, Bida said, "I just told them to get out of there because I didn't want any complications for me". State police supervisor Ualame Machado noted that there is strong evidence against Bida and "now he needs to explain how he could give shelter to the killers for two days and why the gun used in the crime was found on his ranch". As part of his demands for turning himself in, Bida will be held in the Federal Police lockup in Belem rather than in the state jail with the other three suspects. Bida raises cattle on two ranches totalling 3,000 hectares. In 2004, he was described in a report by INCRA (the GoB's agrarian reform agency) as a "major land thief". After Stang's murder, INCRA seized a third ranch he had been using as pasture (allegedly with a forged title).

[1](#)3. (SBU) The state Civil Police in Para have already concluded their investigation into the Stang murder itself and passed their findings to the state prosecutor, recommending indictments against all four suspects for murder with two aggravating circumstances (financial motivation and the victim's inability to defend herself). The two gunmen have confessed their guilt, and have alternately implicated Bida and denied that he was involved. But the state police are also conducting a second investigation, still ongoing, into the question of whether Bida was the only mastermind or whether he conspired with other area landowners to raise the promised contract money (about US\$18,000 --which the gunmen never received). The Civil Police are scheduled to interview Bida on March 28 on this issue. Separately, our contacts among the federal authorities in Belem say that Bida is prepared to implicate at least two other ranchers in return for leniency, and that he may also accuse the state police of trying to extort money from him.

SUPREME COURT TO RULE ON "FEDERALIZATION"

[1](#)4. (SBU) The murder case against the four suspects is proceeding in the Para state system. State prosecutors reportedly plan to try Bida separately so as not to slow down the case against the first three suspects. But there are widespread concerns (reftels) that the state judicial system is compromised by links to large landowners and that justice will not be realized unless the case is taken over by federal authorities. From the beginning, the Federal Police and federal prosecutor's office have conducted their own investigation parallel to the state case. A law passed last December allows the federal government to take over serious human rights cases from the states, and the Stang murder is the trial-run for this law. In early March, federal Prosecutor-General Claudio Fontelles filed a petition with the federal Supreme Justice Court (STJ) asking to federalize the case. In order to rule on the petition, the STJ then requested further information on the case from the Para state authorities. The STJ received this information last week,

and STJ Judge Arnaldo Esteves indicated last week he is waiting to hear the views of the defendants before the STJ will decide whether to transfer the case to federal authorities.
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